

AFFIDAVIT OF ELIAS GALVAN

STATE OF TEXAS §
COUNTY OF EL PASO §

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Elias Galvan, a person whose identity is personally known to me. After being duly sworn, Elias Galvan did upon oath, depose and say:

1. "My name is Elias Galvan. I am over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in it which are true and correct.
2. I was born on May 26, 1969. I have been a member of Border Network for Human Rights since before October 17, 2008. Following is an account of my experiences with the Otero County Sheriff's Department.
3. On February 19, 2008 around 6:30 p.m. I arrived at my sister Maria's home in Chaparral, New Mexico. She was in front with her three children, my son, and a girl that Maria was watching. It was barely starting to turn dark outside.
4. I went to her house to drop off tires. Maria was burning garbage outside of her trailer. An Otero County Deputy arrived at the corner of the street. Another Deputy car was behind him. I told Maria to put out the fire. Maria told me that she has called the fire department two weeks before and they told her it was okay to burn the garbage for a month.
5. The two Deputies pulled up in their cars into the front yard of Maria's house on 279 Kellie Road. One was Deputy Viscarra and the other Deputy was white, bald, and only spoke English. Deputy Viscarra spoke in Spanish.
6. My sister Maria is hearing-impaired. She can only read lips. I answered most of the questions the deputies asked since she could not hear.
7. Deputy Viscarra asked me, "Why are you burning garbage?" The Deputy told me it was illegal to burn garbage. I told the Deputies that Maria had received permission from the fire department in Chaparral to burn garbage.
8. Deputy Viscarra responded that it was illegal to burn garbage at night. I told him Maria and I had not been aware of that. The firemen had not mentioned to Maria the hours she could burn the garbage and she had not asked them.
9. Deputy Viscarra asked Maria and me for our IDs. I showed him my New Mexico driver's license and Maria showed him her Mexican Consulate ID. Deputy Viscarra took the IDs to his vehicle. The other white Deputy was just standing to the side.

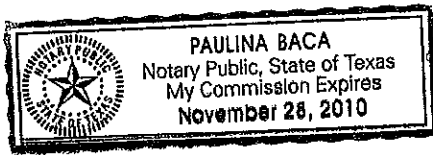
10. Deputy Viscarra came back and said he needed my social security number. I told him you have no reason to ask for my social security number. Deputy Viscarra told me to give it to him because he needed it. I told him you do not need it. Maria told deputy Viscarra that she did not have one.
11. Deputy Viscarra went to his car. He returned with a cell phone. He told me to talk to his boss on the cell phone. The man on the cell phone did not identify himself. He asked me for my name and social security number. The man on the phone said that they were going to arrest me if I did not give my social security number. I told him you are not the Department of Immigration so I am not going to give you my social security number. I gave the cell phone back to Viscarra.
12. Deputy Viscarra told me that he was going to give me a ticket for burning garbage. Maria and I both received tickets. I told Viscarra that I was not burning garbage and I had just arrived at Maria's home. Viscarra said no, the other Deputy saw you burning garbage. Viscarra asked the other Deputy if it was true, and the other Deputy said, "Yes sir." Maria and I signed the tickets.
13. Viscarra and the other Deputy began to talk. Viscarra told the other Deputy in English that the Border Patrol was coming.
14. Deputy Viscarra told Maria and me to wait. Neither Viscarra nor the other Deputy told us the Border Patrol was going to come. I told the children to go inside the trailer and that immigration was going to come.
15. Around twenty five minutes later, one Border Patrol truck arrived with two white male agents. One of the agents asked me if I had papers. I told him no. The same agent asked Maria if she had papers. She said no. The other agent patted me down and checked my pockets. Maria was not searched. I was put in the Border Patrol truck.
16. The agents told Maria to take the kids out of the trailer. Maria said no the children are going to stay. For around twenty minutes, they asked Maria to open the door.
17. Maria's son Angel was inside the trailer and called Maria's friend Lupe from the church. Lupe arrived. When she opened the door to the trailer the two immigration agents and the Deputies entered the trailer. Lupe took my son and the girl that Maria was watching because they were citizens. Neither Lupe, Maria, nor I gave the agents or the Deputies permission to enter the trailer. The agents took Maria's three children. Her children did not have papers.
18. Maria's son Angel and I were taken in the Border Patrol truck. Maria and her two daughters were taken in Viscarra's patrol car.

19. I, Elias Galvan, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this affidavit and that the foregoing statement is true and correct to the best of my knowledge."

Elias Galvan

Elias Galvan

SWORN TO and SUBSCRIBED before me on this the 6th day of May, 2008 in witness whereof I put my signature and seal of office.



Paulina Baca
Notary Public, State of Texas

My commission expires 11/28/2010

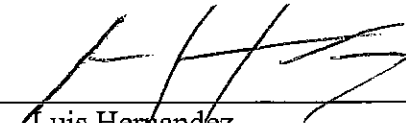
AFFIDAVIT OF LUIS HERNANDEZ

STATE OF TEXAS §
COUNTY OF EL PASO §

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Luis Hernandez, a person whose identity is personally known to me. After being duly sworn, Luis Hernandez did upon oath, depose and say:

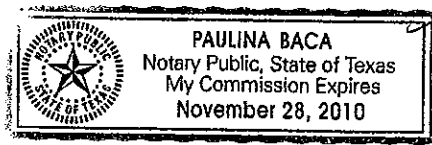
1. "My name is Luis Hernandez. I am over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in it which are true and correct.
2. I was born on March 25, 1986. I have been a member of Border Network for Human Rights since before October 17, 2008. Following is an account of my experiences with Deputy Rob Hansen.
3. On February 21, 2008, I arrived home from work at 6:30 p.m. and left for my girlfriend Tania Robles' house in Chaparral, NM. I stayed at her house for an hour.
4. We left her house at 7:30 p.m. I did not feel like driving so I told Tania to drive. We were on our way to the store. No one else was in the car.
5. Tania was driving five miles per hour over the speed limit.
6. Deputy Rob Hansen pulled us over. I was given a ticket for letting someone without a driver's license drive my car. Hansen asked for driver's license and insurance. Tania told Hansen that she did not have a driver's license. I told Hansen that it is my car, and handed him my license, insurance and registration.
7. Hansen took down Tania's name and date of birth. She gave the name Yolie Suarez. I told her she was going to get in trouble if she used a fake name.
8. Two minutes later Tania told Hansen her real name. Hansen told her that he was not going to charge her with false identity since she told him her real name before he found out it was not her.
9. Hansen went back to his car with Tania's real name, and date of birth. He came back and asked me if I had a social security number. We told him we didn't have any.
10. Hansen said he only needed our social security numbers for extra information. Hansen was being cool and told us there was no problem.
11. Hansen asked Tania, "Are you sure you are not Janeth?" She looks like her sister Janeth that was stopped the week before.

12. Hansen told me to get out of the car. He told me his buddies wanted to talk to me. He gave me a cell phone and there was a man that said he was from the Border Patrol on the line. The man asked me for my name and whether I had a social security number. He told me they were trying to identify me. I told him I did not have a social security number. He asked me where I was born. I told him Mexico.
13. I gave the phone back to Hansen. Hansen is white, bald, and looks about thirty eight to forty years old. He told me to just sit tight for awhile. I asked him why it was taking so long. He said their computers or operators were running slow, and it was taking a while to run the tickets. Hansen never said anything about immigration coming.
14. Tania called her Mom from my cell phone. Tania told her Mom to call her Grandpa to bring her the papers she had filed for residency. Her Grandpa arrived before the Border Patrol. The Grandpa left. I'm not sure why. Hansen must have told him to leave.
15. About an hour later, a Border Patrol vehicle arrived and another Deputy who was driving a Durango. This Deputy was Latino, chubby, short, and older than Hansen. I did not talk to this Deputy. There were two male Border Patrol agents.
16. I opened the car door to ask if Tania could use the restroom. The Hispanic Deputy told me to get back into the car.
17. Hansen's attitude drastically changed once the Border Patrol arrived. He became sarcastic and made fun of the situation.
18. Hansen pulled Tania aside to speak to her about how he had stopped her sister Janeth the week before.
19. Over a period of ten minutes, the Border Patrol agents asked for our names, social security numbers, and addresses. I told them I do not have a social security number.
20. Tania and I left in the Border Patrol truck. We were taken to the Doña Ana Sheriff Station on Lisa Drive in Chaparral. A discussion began about Tania and her family. Deputy Hansen called Tania's sister Janeth on her cell phone. Hansen told Janet, "I have your sister. I warned you that you should have fixed everything." I think Janeth was pleading to him not to take her sister Tania. Hansen said to the Border Patrol, "We can just go get the rest of the family. I know where they live." The Border Patrol agents did not respond to this or Hansen's other sarcastic remarks.
21. I, Luis Hernandez, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this affidavit and that the foregoing statement is true and correct to the best of my knowledge."



Luis Hernandez

SWORN TO and SUBSCRIBED before me on this the 7th day of May, 2008 in
witness whereof I put my signature and seal of office.





Notary Public, State of Texas

My commission expires 11/28/2010